



NOTICE OF EXECUTIVE AND
REGULAR SESSIONS OF
THE FOUNTAIN HILLS TOWN COUNCIL

Mayor Jay T. Schlum

Vice Mayor Mike Archambault
Councilmember Dennis Contino
Councilmember Ginny Dickey

Councilmember Cassie Hansen
Councilmember Henry Leger
Councilmember Keith McMahan

TIME: 5:00 P.M. - EXECUTIVE SESSION
(Executive Session will be held in the Fountain Conference Room - 2nd floor)
6:30 P.M. - REGULAR SESSION

WHEN: THURSDAY, APRIL 2, 2009

WHERE: FOUNTAIN HILLS COUNCIL CHAMBERS
16705 E. AVENUE OF THE FOUNTAINS, FOUNTAIN HILLS, AZ

PROCEDURE FOR ADDRESSING THE COUNCIL

Anyone wishing to speak before the Council must fill out a speaker's card and submit it to the Town Clerk prior to Council discussion of that Agenda item. Speaker Cards are located in the Council Chamber Lobby and near the Clerk's position on the dais.

Speakers will be called in the order in which the speaker cards were received either by the Clerk or the Mayor. At that time, speakers should stand and approach the podium. Speakers are asked to state their name prior to commenting and to direct their comments to the Presiding Officer and not to individual Councilmembers. Speakers' statements should not be repetitive. *If a speaker chooses not to speak when called, the speaker will be deemed to have waived his or her opportunity to speak on the matter. Speakers may not (i) reserve a portion of their time for a later time or (ii) transfer any portion of their time to another speaker.*

If there is a Public Hearing, please submit the speaker card to speak to that issue during the Public Hearing.

Individual speakers will be allowed **three** contiguous minutes to address the Council. Time limits may be waived by (i) *discretion of the Town Manager upon request by the speaker not less than 24 hours prior to a Meeting*, (ii) *consensus of the Council at Meeting* or (iii) *the Mayor either prior to or during a Meeting*. Please be respectful when making your comments. If you do not comply with these rules, you will be asked to leave.

EXECUTIVE SESSION AGENDA

- **CALL TO ORDER**

- **ROLL CALL – Mayor Schlum**

- 1.) **VOTE TO GO INTO EXECUTIVE SESSION:** Pursuant to: (i) ARIZ. REV. STAT. § 38-431.03(A)(1) for discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body (*Specifically, reviewing applications received for possible service on the Parks and Recreation Commission*); (ii) ARIZ. REV. STAT. § 38-431.03(A)(2) for discussion or consideration of records exempt by law from public inspection (*Specifically, portions of the TOPAZ study containing confidential/proprietary information*); (iii) ARIZ. REV. STAT. § 38-431.03(A)(3) for discussion or consultation for legal advice with the attorney or attorneys of the public body (*Specifically, legal advice relating to Council appointment authority*); and (iv) ARIZ. REV. STAT. § 38-431.03(A)(4) for discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation (*Specifically, requested amendments to the Town Center Development Agreement*).

- 2.) **ADJOURNMENT.**

REGULAR SESSION

- **CALL TO ORDER AND PLEDGE OF ALLEGIANCE – Mayor Schlum**

- **INVOCATION – Rabbi Bonnie Koppell, Temple Beth Hagivot**

- **ROLL CALL – Mayor Schlum**

- **MAYOR'S REPORT**

- (i) None.

- **SCHEDULED PUBLIC APPEARANCES/PRESENTATIONS**

- (i) The Mayor will read a proclamation declaring April as "Volunteer Month".
- (ii) Departmental Division Information Overview of Services Provided – Finance and Licensing.
- (iii) Recognition of Service:
Strategic Planning Advisory Commissioners Mike Tyler and Martess Green.

CALL TO THE PUBLIC

Pursuant to A.R.S. §38-431-01(G), public comment is permitted (not required) on matters not listed on the agenda. Any such comment (i) must be within the jurisdiction of the Council and (ii) is subject to reasonable time, place, and manner restrictions. The Council will not discuss or take legal action on matters raised during "Call to the Public" unless the matters are properly noticed for discussion and legal action. At the conclusion of the call to the public, individual Councilmembers may (i) respond to criticism, (ii) ask staff to review a matter or (iii) ask that the matter be placed on a future Council agenda.

CONSENT AGENDA

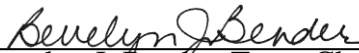
- 1.) **CONSIDERATION** of approving the TOWN COUNCIL MEETING MINUTES from March 10 and March 19, 2009.

- 2.) **CONSIDERATION** of approving an **EXTENSION OF PREMISE APPLICATION** submitted by Kenneth Bowman (AMVETS Post No. 7) located at 17030 E. Enterprise Drive, Fountain Hills, AZ.
- 3.) **CONSIDERATION** of **APPROVING** the designation of Mr. Rick Davis as Chief Fiscal Officer designated to submit the Annual Expenditure Limitation Report to the Office of the Auditor General.
- 4.) **CONSIDERATION** of **PROFESSIONAL SERVICE AGREEMENT** between the Town of Fountain Hills and PSC Environmental Services, L.L.C., for the removal and disposal of hazardous waste in Fountain Hills in the amount not to exceed \$24,000.00.
- 5.) **CONSIDERATION OF RESOLUTION 2009-07**, approving an intergovernmental agreement with the City of Scottsdale for fingerprinting potential new-hires in order to conduct background checks.

REGULAR AGENDA

- 6.) **CONSIDERATION** of **APPOINTING** one (1) citizen to serve the remaining term of a resigning Planning and Zoning Commissioner, beginning April 2, 2009, and ending September 30, 2009.
- 7.) **PRESENTATION AND DISCUSSION WITH POSSIBLE DIRECTION TO STAFF** regarding the **AMERICAN RECOVERY AND REINVESTMENT ACT** of 2009 (ARRA - Economic Stimulus funds).
- 8.) **CONSIDERATION** of a **PROFESSIONAL SERVICE AGREEMENT** with Hunt & Caraway Architects, LTD, in the amount of \$114,049.50, for the design of a new fire station.
- 9.) **CONSIDERATION** of **RESOLUTION 2009-15**, an amendment to the Intergovernmental Agreement (IGA) between the Town of Fountain Hills and Maricopa County Human Services Department for special transportation services adjusting the per trip rate from \$38.25 per trip to a tiered per trip fee schedule based on "Direct Distance Mileage".
- 10.) **CONSIDERATION** of accepting a **SCULPTURE** titled "Blue Spire", being proposed by the Public Art Committee to be purchased and installed utilizing the 1% Public Art Fund.
- 11.) **COUNCIL DISCUSSION/DIRECTION** to the Town Manager.
Items listed below are related only to the propriety of (i) placing such items on a future agenda for action or (ii) directing staff to conduct further research and report back to the Council:
A. None.
- 12.) **SUMMARY** of **COUNCIL REQUESTS** and **REPORT ON RECENT ACTIVITIES** by the Town Manager.
- 13.) **ADJOURNMENT**

DATED this 31st day of March, 2009.


Bevelyn J. Bender, Town Clerk

The Town of Fountain Hills endeavors to make all public meetings accessible to persons with disabilities. Please call 480-816-5100 (voice) or 1-800-367-8939 (TDD) 48 hours prior to the meeting to request a reasonable accommodation to participate in this meeting or to obtain agenda information in large print format. *Supporting documentation and staff reports furnished the Council with this agenda are available for review in the Clerk's office.*